IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1004 OF 2007

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Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

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Shri R.S.Apte with Shri Mandar Limaye for the Petitioners.

CORAM : ABHAY S.OKA, J.
DATED : FEBRUARY 28, 2007.

P.C.:

1. By this Writ Petition under Article 227 of the Constitution of India, the Petitioners who are the Defendants are challenging the order dated 20th November, 2006 passed by the trial Court by which the Respondent Plaintiff has been permitted to amend the plaint. Considering the nature of the order, it is capable of being challenged in a substantive Appeal which may be preferred by the Petitioners against the decree passed by the trial Court if the said decree is adverse to the Petitioners. Therefore, it is not necessary to entertain this Writ Petition. The Petitioners can always file additional written statement to the amended plaint and raise all permissible legal and

factual contentions.

2. Subject to what is stated above, Writ Petition is rejected. Additional written statement, if filed within period of eight weeks from today, shall be accepted by the trial Court.

JUDGE